

RECORDS MANAGEMENT COMMITTEE

City Clerk's Conference Room, 1st Floor, City Hall
400 Stewart Avenue, Las Vegas, Nevada

CITY OF LAS VEGAS INTERNET ADDRESS: <http://www.ci.las-vegas.nv.us>

November 9, 2001

2:00 p.m.

CALL TO ORDER: City Clerk Ronemus called the meeting to order at 2:09 p.m.

ATTENDANCE: Barbara Jo (Roni) Ronemus, City Clerk
Doug Selby, Deputy City Manager
John Redlein, Assistant City Attorney (arrived 2:21 p.m.)
Joseph Marcella, Director, Information Technologies
Richard Goecke, Director, Public Works (excused 3:00 p.m.)
Sharon Kuhns, Records Administrator
Donna Willey, Administrative Secretary

ANNOUNCEMENT MADE RE COMPLIANCE WITH THE OPEN MEETING LAW - Meeting noticed and posted at the following locations:

Downtown Transportation Center, City Clerk's Board
Senior Citizens Center, 450 E. Bonanza Road
Clark County Government Center, 500 S. Grand Central Pkwy
Court Clerk's Bulletin Board, City Hall
City Hall Plaza, Posting Board

(2:09)

1-1

BUSINESS:

A. APPROVAL OF FINAL MINUTES BY REFERENCE OF THE RECORDS MANAGEMENT COMMITTEE MEETING OF OCTOBER 19, 2001.

GOECKE - Motion to APPROVE – SELBY seconded the motion – UNANIMOUS

(2:09)

1-16

B. DISCUSSION AND POSSIBLE ACTION CONCERNING DEFINITIONS AND OTHER RELATED MATTERS IN THE MUNICIPAL RECORDS MANUAL.

REDLEIN - Motion to hold in ABEYANCE to the next Records Management Committee meeting, November 30, 2001 – MARCELLA seconded the motion – UNANIMOUS

Chair Ronemus stated that the definition of “public record” must be addressed so it is within Code. The definition, as it is now, has inconsistencies. Deputy City Manager Selby agreed that the definition in the Records Manual should be consistent with the Code. He noted that the definition that exists suggests that pamphlets are not public records, when, in fact, some of them are.

Ms. Kuhns explained that the definition suggested by Assistant City Attorney Redlein takes out items that this Committee is trying to identify as public records and simply defines what the record is.

Chair Ronemus informed Assistant City Attorney Redlein of the discussion regarding the definition of a “public record” that was held before his arrival. The language that Assistant City Attorney Redlein proposed in the draft ordinance dated August 31, 2001, is not consistent with Municipal Code 2.060. Ms. Kuhns must have clear and correct material for training purposes. Assistant City Attorney Redlein agrees that the language in the manual is confusing. Deputy City Manager Selby suggested there be an addendum that would indicate the proposed Code changes.

Assistant City Attorney Redlein stated that the definition in the draft ordinance is precise and accurate and should be used in the manual. Adding a reference, *i.e.*, “*See green tabbed page for some documents, which the City generates or maintains, which have no retention value*”, would clarify differences for employees. Chair Ronemus concurred.

Chair Ronemus brought up discussion on Chapter 2 of the Records Manual. Alternate fee schedules that deviate from the \$1 per page copying fee, and price lists for materials, services, and publications must be kept separate. She suggested that general information be written into the manual regarding documents that Directors may determine can be provided for distribution for a nominal charge or free. When the documents are depleted, then the charge would be the copying fee according to the resolution.

Chair Ronemus reiterated the change to be made on page 21 of the manual to read, “request for an *alternate* fee schedule”, to be consistent with the resolution. Ms. Kuhns stated that law does not regulate price lists. Assistant City Attorney Redlein asked if it is possible to work out a solution where there isn’t such a gross difference between departments on charges. Chair Ronemus noted that that is not within the Committee’s charge. Mr. Goecke concurred. Mr. Marcella suggested providing guidelines. He stated that part of the regulation is any additional costs and it should be specifically tied to the cost of generating the record. If there is a standard cost of \$25 per hour with benefits, there can be standardized guidelines. Assistant City Attorney Redlein stated that if departments see this as an opportunity to generate revenue, Ms. Kuhns should be able to help bring the cost down.

Mr. Marcella noted that the second to last sentence says, "encourages the use of actual cost". It cannot be encourage; the actual cost must be used. Assistant City Attorney Redlein concurred.

Assistant City Attorney Redlein read the following verbiage into the record to address the definition of "alternate fee schedule". The first sentence remains unchanged. *"Pamphlets, documents, or other electronic media published in advance for distribution may have separate pricing or may be produced for distribution without cost. Similarly, the City may determine that some documents will be produced for distribution in advance and offered without or at reduced cost. Once a published supply of such documents is exhausted and republication is not warranted the fee schedule adopted in the resolution will apply. Public record copying costs are waived for"*

There was much discussion between the Committee members regarding documents that are readily available and documents that have to be created. Assistant City Attorney Redlein asked if a 17 X 24 color map produced by Information Technologies is different than producing a CD. Chair Ronemus stated it would be different because Mr. Marcella uses GIS. Mr. Marcella explained that he could create the same map in a different fashion, not using GIS and he clarified that documents created in GIS cost more. Chair Ronemus suggested eliminating alternate media and identifying it as departmental price lists.

Chair Ronemus advised that the only department that has an approved alternate fee schedule is Purchasing and Contracts for \$.25 per page for the bid package. She explained that to post a price list, an approval by the Records Management Committee is not necessary. An approval is necessary, however, to post an alternate fee schedule because it is a deviation from the \$1 per page copying fee. Assistant City Attorney Redlein stated that if a request will cost a citizen more than \$1 per page, prices should be posted. Deputy City Manager Selby concurred. Chair Ronemus stated that if the Committee concurs, it must be written into the Records Manual.

Deputy City Manager Selby acknowledged that price lists from the department of Public Works and for GIS maps are not unreasonable and were probably developed based upon routine requests. Assistant City Attorney Redlein noted that it is important to have consistency between departments, but it is not necessary for the Committee to decide if the pricing is practical. The City Manager or Ms. Kuhns could be who decides.

Chair Ronemus affirmed that the changes discussed in today's meeting will be made and suggested this item be held in abeyance to the next Records Management Committee Agenda. Consideration by the full Committee is necessary to bring this to a vote.

In the interest of time, Assistant City Attorney Redlein asked to meet with Ms Kuhns for discussion on any section in the manual that needs attention. Notations made prior to the meeting would help the flow of the meeting. Chair Ronemus suggested the section on “office of primary responsibility”.

(2:10 – 3:34)

1-37

C. INFORMATIONAL MATTERS FOR FUTURE RECORDS MANAGEMENT COMMITTEE AGENDAS.

None.

(3:34)

1 - 3514

CITIZENS PARTICIPATION:

None.

ADJOURNED:

MARCELLA - Motion to ADJOURN – SELBY - seconded the motion – UNANIMOUS

The meeting adjourned at 3:34 p.m.

/dw